

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SCHWAN'S HOME SERVICE, INC.,

Petitioner,

vs.

NATIONAL LABOR RELATIONS BOARD,

Respondent.

Consolidated Case Nos.

16-1251 and 16-1294

Board Case No.

27-CA-066674

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**UNOPPOSED MOTION  
FOR EXTENSION OF TIME FOR PURPOSES OF MEDIATION**

Pursuant to Local Rule 26, Petitioner Schwan's Home Service, Inc. respectfully submits this motion for a 30-day extension of time to accommodate the pending mediation in the instant case. In support, Petitioner shows as follows:

1. Petitioner filed its appeal to review the decision of the National Labor Relations Board on July 25, 2016, in Case No. 27-CA-066674.
2. On August 19, 2016, the National Labor Relations Board filed its Cross-Application for Enforcement of its decision in Case No. 27-CA-066674.
3. On September 20, 2016, the Court ordered a briefing schedule, setting forth the schedule as follows:

<b>Petitioner's Brief</b>	<b>October 31, 2016</b>
<b>Appendix</b>	<b>October 31, 2016</b>
<b>Respondent's Brief</b>	<b>November 30, 2016</b>
<b>Petitioner's Reply Brief</b>	<b>December 14, 2016</b>

No oral argument had yet been scheduled.

4. On September 28, 2016, Michael Terry of the Court's Appellate Mediation Program notified the parties that the case will be put into mediation.

5. In order to facilitate mediation, the Petitioner and Respondent moved to extend the briefing schedule and date the appendix was due for sixty (60) days. Their motion was granted by this Court on October 3, 2016, and a new briefing schedule was set, setting forth the briefing schedule as:

<b>Petitioner's Brief</b>	<b>December 30, 2016</b>
<b>Appendix</b>	<b>December 30, 2016</b>
<b>Respondent's Brief</b>	<b>January 30, 2017</b>
<b>Petitioner's Reply Brief</b>	<b>February 13, 2017</b>

No oral argument has yet been scheduled.

6. On October 20, 2016, mediators were assigned to this mediation and a mediation date has been set for December 1, 2016, to take place in person with the mediators and parties in Washington, DC.

7. In order to facilitate the mediation, Petitioner requests an extension of the briefing schedule and date the appendix is due, for thirty (30) days. The mediators have been consulted and approve of this request.

8. Respondent National Labor Relations Board, through its counsel, has no objection to the granting of this motion.

WHEREFORE, the Petitioner requests that the Court extend the briefing schedule thirty (30) days for the reasons set forth above.

Dated: November 7, 2016

Miller, Canfield, Paddock and Stone, P.L.C.

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*Attorneys for Schwan's Home Service, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on **November 7, 2016**, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit using the appellate CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF System.

I also hereby certify that on **November 7, 2016**, I served the foregoing by Federal Express addressed to:

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